

**ZB# 85-11**

**Nicholas Ronsini**

**6-1-26.1**

# 85-11 - Ronsini, Nicholas - use variance (beauty shop)

Prelim. meeting: ②

2/25/85.

Notice to  
sentinel on 3/5/85.

~~OC~~ OCPD has to be  
~~notified~~ notified: 3/15/85.

Public Hearing:

3/25/85.

Use variance  
granted on 3/25/85

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, N. Y. 12550

# General Receipt

6350

March 28, 1985

Received of Marita Bonini

\$ 25.00

Twenty-five and 00/100

DOLLARS

For Zoning Variance (#85-11)

DISTRIBUTION:

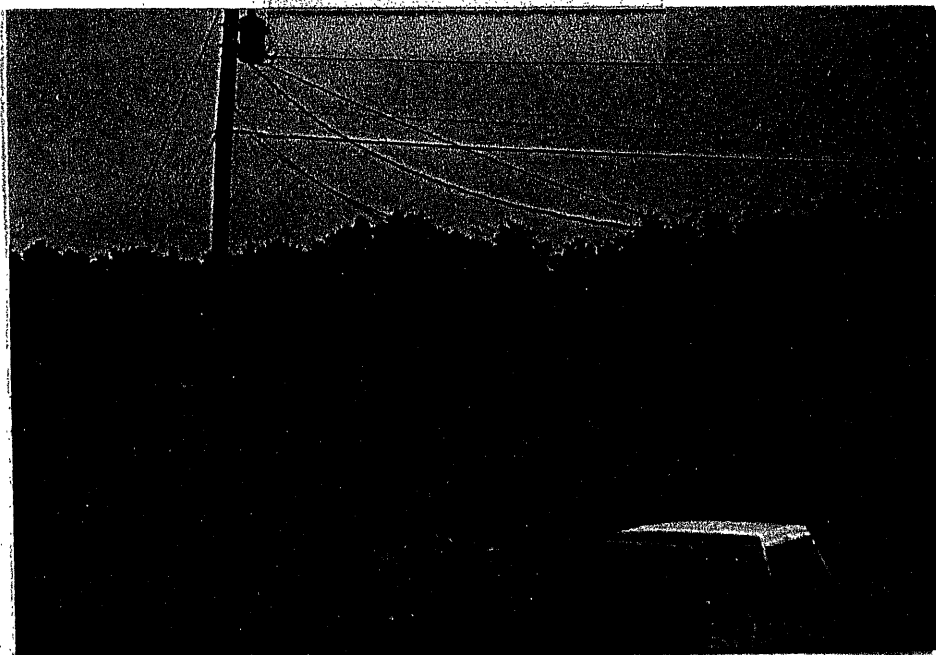
FUND	CODE	AMOUNT
Check # 638		25.00

By Pauline S. Townsend

Town Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609





ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

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In the Matter of the Application of

NICHOLAS RONSINI

DECISION GRANTING  
USE VARIANCE

# 85-11.

-----x

WHEREAS, NICHOLAS RONSINI of 322 Temple Hill Road,  
Town of New Windsor, N. Y., has made application before the  
Zoning Board of Appeals for a use variance for the purposes of:  
construction of one-family residential dwelling with beauty shop use  
in an R-4 (one-family residential) zone;  
and

WHEREAS, a public hearing was held on the 25th day of  
March, 1985 at the Town Hall, 555 Union Avenue, New  
Windsor, New York; and

WHEREAS, applicant appeared in behalf of himself

\_\_\_\_\_; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New  
Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents  
and businesses as prescribed by law and published in The Sentinel, also  
as required by law.

2. The evidence shows: that the area, although located in an  
R-4, residential zone, is surrounded by commercial establishments, i.e.  
The Music Box, Insulpane, Inc., proposed grocery store.

3. The evidence shows: the proposed beauty shop will be  
located in a private dwelling which will be constructed off a 50 ft.  
private driveway, said parcel containing 2 ± acres of land.

4. The evidence shows: The proposed structure will be of the same character as provided for in the district zoning.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of law in this matter:

1. The evidence indicates that the aforesaid circumstances or conditions are such that the strict application of the provisions of the local law would deprive the applicant of the reasonable use of such land or building.

2. The evidence indicates that the plight of the applicant is due to unique circumstances and not to general conditions suffered by other persons within the same zone.

3. The evidence shows that the application as presented does not alter the essential character of the neighborhood.

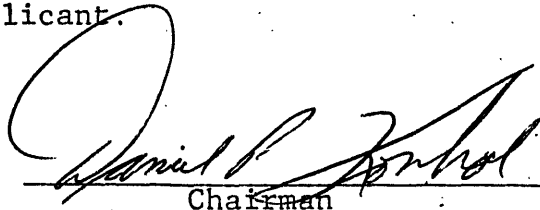
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor grants a use variance as applied for and in connection with plans presented at the public hearing with the restriction that there will be only ONE (1) OPERATOR in the beauty shop portion of the premises.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and the applicant.

Dated: April 8, 1985.

  
Chairman

cc: Mr. and Mrs. Nicholas Ronsini  
117 Wisner Avenue  
New Windsor, N. Y. 12550

Pat.

**PUBLIC NOTICE OF HEARING  
BEFORE ZONING BOARD OF  
APPEALS TOWN OF NEW  
WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Ordinance on the following proposition:

Appeal No. 11  
Request of Nicholas Ronsini for a VARIANCE of the regulations of the Zoning Ordinance to permit construction of residential dwelling which will house beauty shop in basement being a VARIANCE of Section 48-9 Table of Use Regulations Col. 1 for property situated as follows:  
Off Temple Hill Road near the intersection of Union Avenue, New Windsor, N.Y. known and designated as Tax Map Section 6, Block 1, lot 26.1.

SAID HEARING will take place on the 25th day of March, 1985, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N.Y. beginning at 7:30 o'clock P.M.

**DANIEL P. KONKOL**  
Chairman

State of New York  
County of Orange, ss:

Everett W. Smith, being duly sworn  
disposes and says that he is  
Publisher of the E.W. Smith  
Publishing Company, Inc. publisher  
of The Sentinel, a weekly newspaper  
published and of general circulation  
in the Town of New Windsor, and that  
the notice of which the annexed is  
a true copy was published ONCE

in said newspaper, commencing on  
the 14<sup>th</sup> day of MARCH A.D., 1985  
and ending on the 14<sup>th</sup> day of MARCH  
A.D. 1985

Subscribed and shown to before me

this 31<sup>st</sup> day of May, 1985

Patricia Delio

Notary Public of the State of New York  
County of Orange.

My commission expires 3/30/87

PATRICIA DELIO  
NOTARY PUBLIC, State of New York  
No. 5970775  
Qualified in Orange County  
Commission Expires 3/30/87

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

# 85-11

Date: 2/26/85

I. Applicant Information:

- (a) Nicholas Ronsini 322 Temple Hill Rd X  
(Name, address and phone of Applicant) (Owner)  
(b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)  
(c) \_\_\_\_\_  
(Name, address and phone of attorney)  
(d) \_\_\_\_\_  
(Name, address and phone of broker)

II. Application type:

- ☒ Use Variance ☐ Sign Variance  
☐ Area Variance ☐ Special Permit

III. ✓ Property Information:

- (a) R 4 322 TEMPLE HILL RD 6-1-26.1 2,134 sq. ft.  
(Zone) (Address) (S B L) (Lot size)  
(b) What other zones lie within 500 ft.? Ohl - Office / Light Industrial  
(c) Is a pending sale or lease subject to ZBA approval of this application? YES  
(d) When was property purchased by present owner? 1973  
(e) Has property been subdivided previously? YES When? \_\_\_\_\_  
(f) Has property been subject of variance or special permit previously? NO When? \_\_\_\_\_  
(g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? Yes  
(h) Is there any outside storage at the property now or is any proposed? Describe in detail: NO

IV. ✓ Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section 48-9, Table of Use Regs., Col. 1, to allow:  
(Describe proposal) Beauty shop to be located in basement of proposed residential dwelling.



- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

*My father in law had property up for sale for 10 years he's retired now and takes maintenance on property is difficult for him to keep. Therefore if a variance is granted we would take part of the burden away from him. Although the area is zoned R-4, residential, there are many commercial businesses in the general location in question.*

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.	1	1
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		

\* Residential Districts only

\*\* Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	_____ sq. ft.	_____ sq. ft.	_____ sq. ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

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- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

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VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.
- (b) Describe in detail the use and structures proposed for the special permit.

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VIII. ☒ Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

The proposed residential dwelling will be of the same character as provided in the zoning. All parking will be off street since building lot is located off a private road 50 ft. in width, AND OVER 400 FT. LONG.

IX. ☒ Attachments required:

- ☒ Copy of letter of referral from Bldg./Zoning Inspector.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☒ Copy(ies) of sign(s) with dimensions.
- ☒ Check in the amount of \$ 25.00 payable to TOWN OF NEW WINDSOR.
- ☒ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date 2/25/85

STATE OF NEW YORK )  
COUNTY OF ORANGE ) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

X Nicholas Ronsini  
(Applicant)

Sworn to before me this

26th day of February, 1985.  
Patricia Delio

XI. ZBA Action:

PATRICIA DELIO  
NOTARY PUBLIC, State of New York  
No. 6970775  
Qualified in Orange County  
Commission Expires March 30, 1985.

- (a) Public Hearing date \_\_\_\_\_
- (b) Variance is \_\_\_\_\_  
Special Permit is \_\_\_\_\_
- (c) Conditions and safeguards: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY  
RESOLUTION OF ZONING BOARD OF APPEALS.

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD  
TOWN BUILDING/ZONING OFFICER KENNEDY  
TOWN BOARD MEMBERS

FROM: ZBA SECRETARY

SUBJECT: ACTIONS TAKEN AT ZBA MEETING OF 3/25/85

DATE: March 28, 1985

Please be advised that the following actions were taken and decisions made at the 3/25/85 meeting held before the Zoning Board of Appeals:

~~RONSENI, NICHOLAS~~ - Request for use variance  
was GRANTED

CUMBERLAND FARMS - Request for construction of  
food market & gasoline sales  
(use and special permit) - DENIED

HELMER, WILLIAM F. - Request for construction of health  
club/restaurant - Use Variance -  
GRANTED

MINUTA, ROBERTO - Request for 10.2 ft. frontyard variance  
GRANTED (previous vote deadlocked)

Patricia Delio, Secretary

/pd

cc: Ronsini, Nicholas  
Cumberland Farms (% Elias D. Grevas, L.S.)  
Helmer, William F. (% Arthur Anthonisen P.E.)  
Minuta, Roberto

3/25/85 - Public Hearing - Ronsini, Nicholas

Name:

Address:

ROBERT WAXTEL

13 Cimorelli Dr

no objection



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

February 27, 1985

Mrs. Nicholas Ronsini  
42 Carter Street  
Newburgh, NY 12550

Re: 6-1-26.1

Dear Mrs. Ronsini:

According to my records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$45.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

A handwritten signature in cursive script that reads 'Christian E. Jahrling'.

CHRISTIAN E. JAHLING, IAO  
SOLE ASSESSOR

CEJ/po  
Enc.



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

RETURN TO US  
DEL. ATTEMPT - UNKNOWN

25

1763

Walsh, John J. & Eunice R.  
20 Clarkview Road  
New Windsor, NY 12550

Moser, David C. & Susan E.  
22 Clarkview Road  
New Windsor, NY 12550

Hyzer, Robert W. & Janette  
24 Clarkview Road  
New Windsor, NY 12550

Gomes, Joseph A. & Marie  
26 Clarkview Road  
New Windsor, NY 12550

VanVoorhis, Raphael J. & Carol M.  
28 Clarkview Road  
New Windsor, NY 12550

Jennings, Richard C. & Patricia C.  
30 Clarkview Road  
New Windsor, NY 12550

Infante, Madeline  
602 Union Avenue  
New Windsor, NY 12550

Casalinuovo, Dominick & Rose  
606 Union Avenue  
New Windsor, NY 12550

McDougal, Glenn A.  
614 Union Avenue  
New Windsor, NY 12550

Simpson, Harry M. & Dorothy  
Box 941  
Newburgh, NY 12550

Ramirez, Jose  
618 Union Avenue  
New Windsor, NY 12550

Grismer, Eleanor & Ronsini, Angela,  
Eleanor, Richard C., Jr. & Michael  
Box 2013  
Newburgh, NY 12550

Ronsini, Mario & Ruth  
630 Union Avenue  
Newburgh, NY 12550

Ronsini, C. Jessie & Helen  
324 Temple Hill Road, RD #2  
New Windsor, NY 12550

Angeloni, Americo & Rose  
326 Temple Hill Road, RD #2  
New Windsor, NY 12550

Lewin, Joseph  
12 Catalpa Road  
Newburgh, NY 12550

LaRocca, Robert & Alisa  
489 Little Britain Road  
New Windsor, NY 12550

Monsey Structural Aluminum, Inc.  
335 Temple Hill Road  
New Windsor, NY 12550

Helmer, William F.  
Gray Beech Lane  
Pomona, NY 10970

Duggan & Crotty Temple Hill Company  
343-345 Temple Hill Rd., RD #2  
New Windsor, NY 12550

Pierotti, Elizabeth M.  
RD #2, Meadowbrook Lane  
Cornwall, NY 12518



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

1763

☒ Mazza, Theresa  
c/o Herbst & Rashbaum  
PO Box 7002  
Newburgh, NY 12550

☒ Licari, Rita  
478 Union Avenue  
New Windsor, NY 12550

☒ Glegg, John C. & Robert S. <sup>N.A.</sup>  
4 Innis Avenue  
Newburgh, NY 12550

☒ Newburgh Water Supply  
c/o City Comptroller  
City Hall  
Newburgh, NY 12550



PUBLIC NOTICE OF HEARING BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

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Appeal No. //

Request of NICHOLAS RONSINI

for a VARIANCE ~~SPECIAL PERMIT~~ of the regulations of the Zoning Ordinance to permit construction of residential dwelling

which will house beauty shop in basement

being a VARIANCE ~~SPECIAL PERMIT~~ of

Section 48-9 Table of Use Regulations-Col. 1

for property situated as follows:

Off Temple Hill Road near the intersection of

Union Avenue, New Windsor, N. Y. known and

designated as Tax Map Section 6, Block 1, Lot 26.1.

SAID HEARING will take place on the 25<sup>th</sup> day of

March, 19 85, at the New Windsor Town Hall,

555 Union Avenue, New Windsor, N. Y. beginning at

7:30 o'clock P. M.

DANIEL P. KONKOL  
Chairman

TOWN OF NEW WINDSOR  
ORANGE COUNTY, N. Y.  
OFFICE OF ZONING - BUILDING INSPECTOR

Pulcin: (2)

2/25/85 -

7:30 pm

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. ....

Date February 13, 1985

To Nicholas Ronsini 561-8265

322 Temple Hill Rd.

New Windsor, New York 12550

PLEASE TAKE NOTICE that your application dated February 13, 1985

for permit to Operate a Beauty Shop in a one family residence

at the premises located at Temple Hill Rd (at int. Union Ave)

Tax Map Section 6, Block 1, Lot P/O 26.1

Lot #2 - Nicholas Ronsini Subdivision approved 1/23/85

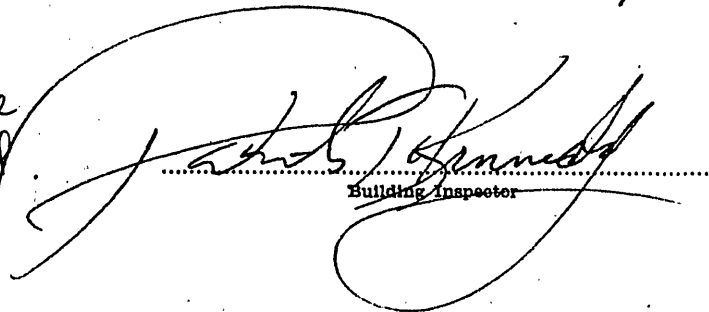
is returned herewith and disapproved on the following grounds:

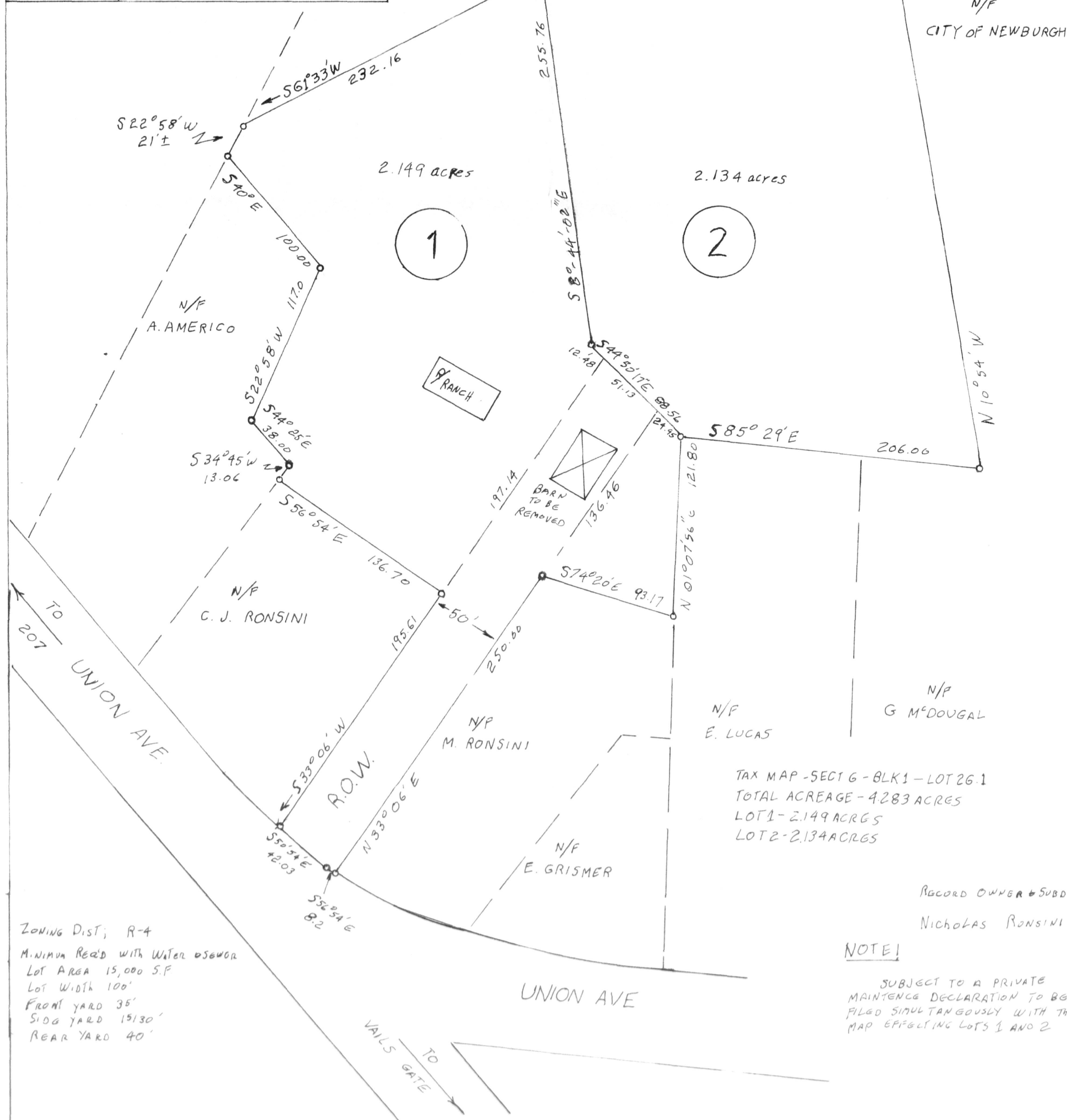
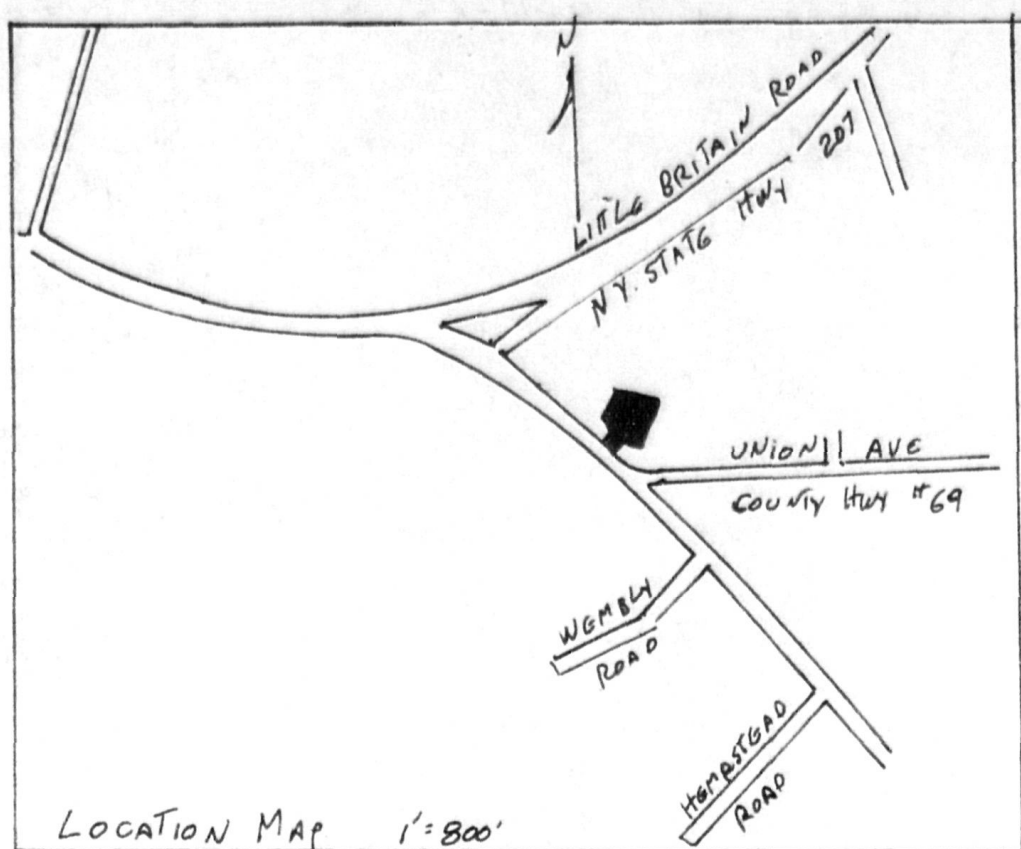
Property is in a R-4 residential zone. A Beauty Shop is not a permitted use in a residential zone.

This shop is to be located in a new proposed Dwelling

House is not constructed yet!

use variance proposal

  
Building Inspector



ZONING DIST: R-4  
 MINIMUM ROAD WITH WATER & SEWER  
 LOT AREA 15,000 S.F.  
 LOT WIDTH 100'  
 FRONT YARD 35'  
 SIDE YARD 15/30'  
 REAR YARD 40'

TAX MAP - SECT 6 - BLK 1 - LOT 26.1  
 TOTAL ACREAGE - 4.283 ACRES  
 LOT 1 - 2.149 ACRES  
 LOT 2 - 2.134 ACRES

RECORD OWNER & SUBDIVIDER  
 NICHOLAS RONSINI

NOTE!

SUBJECT TO A PRIVATE  
 MAINTENANCE DECLARATION TO BE  
 FILED SIMULTANEOUSLY WITH THIS  
 MAP EFFECTING LOTS 1 AND 2

PROPOSED SUBDIVISION OF LANDS OF NICHOLAS RONSINI  
 TOWN OF NEW WINDSOR, COUNTY OF ORANGE, STATE OF NEW YORK  
 SCALE - 1" = 50'

SEPT 24, 1984

GEORGE W. CORWIN LL.S.

*Geo. W. Corwin*